

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

David T. Jones

COMPLAINT

(Enter above the full name of the plaintiff in this action)

V.

Civil Action No. _____

David S. Owens (Department

(To be supplied by the Clerk of the Court)

Director/Former Warden)

Karen Taylor (Warden of Camden County Correctional Facility)

(Enter the full name of the defendant or defendants in this action)

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

☒ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☐ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

b. Court and docket number: _____

- c. Grounds for dismissal: () frivolous () malicious
 () failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit: _____

e. Approximate date of disposition: _____

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? Camden County Correctional Facility

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

- a. Name of plaintiff: David T. SONES

Address: PO. Box 90431

Inmate #: 4306915

b. First defendant:

Name: Warden Karen Taylor

Official position: Warden

Place of employment: Camden County Correctional Facility

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Refuse to release me from confinement after
being inform that my arrest warrant was
unsigned and defected,

c. Second defendant:

Name: David S. Owens

Official position: Former Warden / Department Director

Place of employment: Camden County Corrections / Facility -

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Permitted my confinement into Camden County
Correctional Facility, despite warrant being
unsigned and defected. And refuse to release
me after informed as warrant being unsigned and
defected.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

Filed Grievances. See ~~in~~ attach
Grievances was never answer to.
Copies of all warrants that I have from
Camden County Correctional Facility.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

~~On March 3, 2012 spoke to~~ On April 21, 2015 I was
~~at~~ accepted into Camden County Correctional
~~Facility~~ Facility without a signed warrant. Since-
then I spoken to many officials.
approx. around Oct. 2015 I spoke Mr. David Owens
who at that time was warden, He stated he would
look into my warrant, NEVER received a answer.

Approx around Nov 2015 spoke to Mr. Johnson the Warden Secretary about my warrant.

Approx around May 2015 I spoke at that time Captain Taylor, before she became warden.

Approx around February 2016 I spoke to Sgt Muniz who went down to Admission (Intake) to receive a Copy of the warrant and she stated they didn't have one, only a copy of the defendant copy.

Spoken to Sgt. Egan twice about the warrants. Once was in June of 2015 & January 2016 and he went to Admission (Intake) to retrieve a copy of the warrant, but he only brought back the defendants copy. And stated that the Admissions Sgt said, "That is the only warrant they have is the defendants, and nothing else." (Warden Secretary)

Spoke to Mr. Johnson approx around January 2017 about the warrant and he stated that's not his job title to look into it.

Spoke to Captain Franceschini approx around the end of January ²⁰¹⁷ and the beginning of February 2017 about the warrant and she stated "I read your letter that you wrote the warden and I went to get a signed warrant from the prosecutor's office so now you can stop complaining about us not having a signed warrant. If you have a problem talk to your lawyer and the judge!" That's what she stated to me when I spoke to her. (See Attachment)

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

I ask that the Courts grant a preliminary injunction and provide monetary relief for plaintiffs irreparable injury caused by plaintiff unconstitutional arrest.

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approx around March I spoke to officer A. Hickson he's in charge of collecting all grievance forms, and driving the warden around.

I ask him why did he answer the grievance I wrote to the warden and he stated he didn't know about the county policy.

I spoke to warden Taylor approx around February about the warrants and asked why she never responded back to any grievance I put in, about the warrant. She stated that the County had other paperwork to accept me into the county jail. I explain to her that it was the Facility Policy to have a warrant she told me to speak to my lawyer and judge if I had any issues with the warrant.

And I spoke to Deputy Warden Faschini about the warrants around about end of February Beginning of March. He stated when explain, For me to stop worrying because I wasn't going nowhere.

8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial () Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 29 day of March, 2017


Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).